

AMENDMENT UNDER 37 C.F.R. §1.111
U.S. Appln. No. 10/796,269

Attorney Docket No. Q80047

AMENDMENTS TO THE DRAWINGS

The Examiner has objected to the drawings as allegedly failing to designate Fig. 6 as prior art. Applicant herewith submits Figure 6, labeled as PRIOR ART.

Attachment: Replacement Sheet

REMARKS

This Amendment, filed in reply to the Office Action dated December 19, 2006, is believed to be fully responsive to each point of rejection raised therein. Accordingly, favorable reconsideration on the merits is respectfully requested.

Claims 1-15 are all the claims pending in the application. The Examiner has objected to the drawings as allegedly failing to designate Fig. 6 as prior art. A drawing correction is submitted herewith. Claims 1-3 and 7-10 are rejected under 35 U.S.C. § 102(b) as being anticipated by Tagusa et al. (JP 2000-029019; hereinafter "Tagusa"). Claims 4-6 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Tagusa et al. as applied to claims 1-3 and 7-10 above, and further in view of Ubusawa et al. (JP 03140903A). Claims 11 and 14 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Yamada (U.S. Patent Publication No.: 2003/0128309) in view of Helstern et al. (U.S. Patent No.: 5,743,629). Claims 12-15 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Yamada in view of Helstern et al. as applied to claims 11 and 14 above, and further in view of Ubusawa et al. Applicant respectfully submits the following arguments in traversal of the prior art rejections.

With regard to independent claims 1-3 and 7-9, the Examiner asserts that Tagusa discloses all of the features of independent claims 1-3 and 7-9. In support of the rejection, the Examiner cites paragraphs 45-48 of Tagusa. Paragraphs 45-48 of Tagusa states: "[i]t is in offering the liquid crystal display ... [that] the short circuit and open-circuit defect [is reduced]..."

After carefully reviewing the cited references, Applicant submits that the claimed invention would not have been anticipated by or rendered obvious by the cited references. In particular, the cited references, alone or in combination, do not teach or suggest: “a refractive index varying area, which is different in refractive index from the surroundings thereof in a plane parallel to an image display face, on a defective pixel on the image display face,” as required by independent claims 1-3 and 7-9

As discussed in paragraphs 0046 of Tagusa, Tagusa is directed as solving the defective manufacturing pixel problem by using a pixel substrate and the opposite substrate which sets a gap between the certain pixels , and is countered and arranged between. (see paragraph of 0046 of Tagusa). Nowhere does Tagusa mention a refractive index varying area, which is different in refractive index from the surroundings thereof in a plane parallel to an image display face, on a defective pixel on the image display face,” as required by independent claims 1-3 and 7-9.

The refractive indices discussed in Tagusa relate to the index ellipsoid that relate to the orientation and relative magnitude of the refractive indices in the liquid crystal layer itself. The three principal of indices of refraction n_a and n_b of an index ellipsoid has a relation $n_a = n_c > n_b$, and one side of the principal indices of refraction n_a and n_c is parallel to the front face of a phase contrast plate. The principal indices of refraction of the liquid crystal layer do not correspond to an index refracting area which is parallel to the image display face. This is because the index ellipsoid is part of the display itself.

Accordingly, independent claims 1-3 and 7-9, as well as dependent claims 4,5,6 and 10, respectively, are patentable because the cited references do not teach or suggest all of the features of the claimed invention.

Similarly, Umbusawa, Yamada, and Helstern do not teach or suggest these features which are missing from Tagusa.

With regard to independent claims 11 and 14, the Examiner asserts that Yamada allegedly discloses many of the features of independent claims 11 and 14. To cure the deficiencies of Yamada, the Examiner relies on Helstern for allegedly disclosing that “the complementary color of the color mura is generated in the color mura correcting film in accordance with the color mura of the display image.” In support of the rejection, the Examiner cites Fig. 5a, paragraphs 16, 18, 19 20 of Yamada and col. 1, 3 and 5 of Helstern.

After carefully reviewing the cited references, Applicant submits that the claimed invention would not have been anticipated by or rendered obvious by the cited references. In particular, the cited references, alone or in combination, do not teach or suggest: “correcting a color mura of a display image by the color mura correcting film, wherein the complementary color of the color mura is generated in the color mura correcting film in accordance with the color mura of the display image,” as required by independent claim 11.

As discussed in paragraph 29 of Yamada, Fig. 5 a depicts the length and width of one pixel formed on the CF substrate as a single unit, which is opposite to thin film transistor on the TFT substrate of the LCD device. Nowhere does Yamada mention “correcting a color mura of a display image by the color mura correcting film,” as required by claim 11. To the extent that

Helstern teaches color correction, the correction is performed by a chroma shift. However, the shift need not be to a complementary color via color correcting film as described by the independent claim 11. In Helstern, the correction is provided via a reflector rather than a color mura correcting film.

Accordingly, independent claims 11, as well as dependent claims 12 and 13, are patentable because the cited references do not teach or suggest all of the features of the claimed invention.

Similarly, Umbusawa and Tagusa do not teach or suggest these features which are missing from Yamada and Helstern.

Independent claim 14 recites features analogous with regard to those discussed with claim 11. In particular, these features include: "generating a complementary color of a color mura in accordance with the color mura. Accordingly, claim 14 is patentable for at least the reasons as mentioned for claim 11. Further, dependent claim 15 is patentable by virtue of its dependency on claim 14.

With further regard to claim 15, the Examiner concedes that Yamada and Helstern fail to teach a refractive index varying structure with periodic variation. The Examiner cites Ubusawa to make up for this deficiency. However, Ubusawa does not describe a periodic variation. Rather, Ubusawa describe a thickness variation. Therefore, claim 15 is patentable for this additional reason.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the

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Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.


Respectfully submitted,

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